
CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being filed with Dianne Maggard of the United States Patent and Trademark Office by facsimile transmission on February 16, 2006 to facsimile telephone number (571) 273-0300.



David W. Hibler

41,071

(Reg. No.)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellant(s):	Turner Jr. <i>et al.</i>	Group Art Unit:	1647
Application No.:	09/689,911	Appeal No.:	2005-2379
Filed:	10/11/2000	Examiner:	B. Bunner
Title:	Polynucleotides Encoding Human Galanin Family Proteins (As Previously Amended)		
	Atty. Docket No.: LEX-0068-USA		

WITHDRAWAL OF APPEAL

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

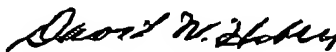
Appellants acknowledge receipt of the Decision on Request for Rehearing ("the Decision") in the above-referenced matter, mailed on January 24, 2006, which has been carefully reviewed and studied. Appellants are disappointed with the conclusion of the Board to "decline to make any changes in the opinion" (the Decision at page 3), in reference to the Decision on Appeal in the present case, which was mailed on November 30, 2005 ("the Decision on Appeal"). However, while Appellants maintain their disagreement with the rejections set forth by the Examiner, and do not agree with the decision of the Board that "affirm[ed] the examiner's rejection of claims 1-8" (the Decision on Appeal at page 10), Appellants hereby withdraw the present appeal (Appeal No. 2005-2379), entirely without prejudice and without disclaimer, in order to pursue claims in a continuing application, which was filed on February 13, 2006.

Appellants believe that no fees are due in connection with this request. However, the Commissioner is authorized to charge any required fees to Deposit Account No. 50-0892.

Respectfully submitted,

February 16, 2006

Date



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From: David W. Hibler *DWH*
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Date: February 16, 2006

Phone:

Pages: 3 (including coversheet)

Re: Appeal No. 2005-2379
Application Serial Number: 09/689,911
Atty. Dkt. No. LEX-0068-USA

CC: File

•Comments:

Please find attached a Withdrawal of Appeal No. 2005-2379. Please contact me at the number shown above if there are any questions.